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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,325	07/18/2003	Leif Johannsen	45900-000761/US	2522

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EXAMINER

GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/621,325	<b>Applicant(s)</b> JOHANSEN ET AL.	
	<b>Examiner</b> Tilahun B. Gesesse	<b>Art Unit</b> 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 22-42,55,57-59 and 61-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-42,55,57-59,61-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Status of claims**

1. This is in response to applicant's amendment and response dated July 25, 2006, in which claims 1-21,43-54,56,60,64-66 have been deleted and claims 22-42,55,57--59,61-63 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 22-42,55,57--59,61-63 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 22-30,36-42,55,57-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori in view of Linge (US 2002/0028698).

Claims 22,55,57, Mori teaches a mobile handset (see fig.4) comprising :

-Mori teaches a handset housing comprising a front and a back cover, (front cover 206, and back layer of plastic type cover, 221, see fig.1 6 and pg. 2,para. 0034-0035)

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- Mori teaches - display means being visible from the front cover side of the handset housing, the display means being adapted to provide visual information to a user of the mobile handset, [see fig.4 pg. 2, para 0034].

-Mori teaches a plurality of Loudspeakers being adapted to generate audio signals [see page 2,para 0034].

Mori does not teach an image compensation unit so as to allow the mobile handset to be applied in near-to-the-eye applications.

However, Linge teaches an image compensation unit to allow the mobile handset to be applied in near-to-the-eye applications (see page 1 paragraph 0004 and fig.2), in which Linge teaches the mobile handset to be applied in the near to the eye to compensate and magnifies the image for the user to read the image correctly.

It would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to compensate by magnifying the image in Mori system , as evidenced by Linge, in order to deliver a high resolution visual display for assisting user to read text messages easily.

Claim 23, Mori teaches each of the plurality of loudspeakers comprises a magnetic circuit comprising a magnet, the magnetic circuit having at least one gap defined between two opposed and substantially parallel surfaces of the magnetic circuit, the magnet of the magnetic circuit causes a magnetic field to exist across the at least one gap, wherein the magnetic circuit defines magnetic return paths completely encircling the gap [see pg 2 para 0038-pg. 3 para 0045 and figs. 8-9).

Claim 24, Mori teaches the display means is a color display (see fig.5 and its disclosure]

Claims 25-27 Mori teaches the plurality of Loudspeakers are arranged within the handset housing so that the audio signals are transmitted from the front cover of the handset housing [see fig. 4].

Claim 28 Mori teaches the plurality of Loudspeakers comprise loudspeaker front covers each having at least one acoustic opening arranged so that the audio signals are transmitted primarily in a direction being parallel to a mean plane defined by the Loudspeaker front cover[see pg. 2 para 0034-page 3 para 0045).

Claims 29,58-59. Mori teaches two loudspeakers are arranged at two opposing sides of the display means [ see fig. 8 231 and 232 are considered two opposite sides].

Claims 30. Mori teaches a third speaker is positioned between the two oppositely arranged Loudspeakers and at a third side of the display means (see figure 6).

Claims 36, Mori teaches vibration means so as to mechanically vibrate the mobile handset in accordance with a vibration signal provided to the vibration means (abstract).

Claim ,37-39, , Mori teaches a number of drivers for driving the Loudspeaker (see pg. 2, para. 0034-pg. 3 para. 0045)).

Claim 40, Mori teaches means for enhancing the stereo reproduction (see abstract).

Claim ,41, Mori intently teaches the means for enhancing the stereo reproduction comprises cross talk cancellation.

Claim,42 the mobile handset is a mobile phone, [see fig.4).

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mori in view of Saiki et al (US 2003/0003945A1).

Claims 31 . Mori does not teach at least one movable diaphragm. However, Saiki teaches at least one movable diaphragm (abstract). Mori and Saiki teach speaker using technique of magnet, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to use diaphragm in Mori system , as taught by Saiki , in order to reproduce sound of the caller to the called subscriber.

Claims 32-35,61-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori in view of Smethers (US 6,463,304).

Claims, 32-35,61-63, Mori does not expressly teach a navigation key accessible from the back cover side of the handset housing, the navigation key being capable of providing two-dimensional control of the pointer shown on the display means and the navigation key is capable of selecting information displayed on the display means upon moving the navigation key from an initial position to a select position.

However , Smethers teaches a navigation key accessible from the back cover side of the handset housing, the navigation key being capable of providing two-dimensional control of the pointer shown on the display means and the navigation key is capable of selecting information displayed on the display means upon moving the

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navigation key from an initial position to a select position (column 3, lines 60-68 and column 4, lines 19-42 and figure 1). Mori and Smethers teach similar area of endeavor, then, it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made utilize a pointer or navigating key in the Mori system, as taught by Smethers, in order to easily access the keys at the soft navigating key on the display rather than another step attempting to manipulate cumbersome dialing keys.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through

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Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TG

10/5/06

  
TILAHUN GESESSE  
PRIMARY EXAMINER